

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**PATSY WERNER,** **06-CV-600-HU**

**Plaintiff,** **ORDER**

**v.**

**MICHAEL J. ASTRUE,**  
**Commissioner, Social Security**  
**Administration,**

**Defendant.**

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**BROWN, Judge.**

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#13) on May 11, 2007, in which he recommended the Court affirm the Commissioner's decision denying Plaintiff's application for disability insurance benefits. Plaintiff filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff's Objections generally reiterate the arguments contained in her Opening and Reply briefs or merely comment on the evidence. The Court has carefully considered Plaintiff's

objections and concludes they do not provide a basis to modify the Findings and Recommendation. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#13). Accordingly, the Court **AFFIRMS** the Commissioner's decision and **DISMISSES** this matter.

IT IS SO ORDERED.

DATED this 30<sup>th</sup> day of July, 2007.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge